

would close off in certain areas, and I want to point out to you with this new draft constitution, time after time again you have made new provisions and you said, "to be established by law." The legislature would have to hold extended hearings of all bureaus and commissions and everything else to get the concept of where the door should be closed, and I do not think they would be able to get that legislation written for the next seven or eight years with all the other things they have got to do.

In the meantime, if you take Amendment No. 24, everything is wide open, and the legislature will not have had time to close the door. It is a very dangerous amendment, in that form. Therefore I drafted for our Committee the proposal submitted as a substitute by Mr. Kiefer, which declares the policy of the right to know, but it shall be opened and given after the legislature has had the time to study the matter carefully.

If you will notice "to the extent and in the manner provided by law," the concept is there, and the legislature will have ample time to develop it carefully.

I hope if you act in this area at all, and it is a good concept, that you take Amendment No. 24-A and substitute it for 24 and pass it.

THE CHAIRMAN: Delegate Dukes.

DELEGATE DUKES: I think I have grasped the spirit of the Kiefer amendment. He and delegate Weidemeyer are in favor of the right to know, but not very much. Delegate Scanlan wanted to strike everything. That was a clear approach. Delegate Scanlan characterized a similar amendment as governmental immunity. He said he was for it, but it said absolutely nothing. Delegate Kiefer would have saved us trouble if he had introduced a proposal which would say the people shall have such right as provided by the legislature. That is what this amendment does. If we are going to deal with it at all, we ought to say something.

I think this particular amendment is more dangerous than the section in the government immunity section. I fully agree with Delegate Chabot and Delegate Willoner that this amendment has a strong chance to do away with present common law rights and you would only have that right which the legislature presently provided.

It changes the whole concept, but it changes it in a negative way. Let us not

go back. Let us retain what is good. If you like that amendment then move to strike this, but do not put this concept into the constitution.

THE CHAIRMAN: Delegate Cardin.

DELEGATE CARDIN: Mr. Chairman and fellow delegates, I think we all agree on the philosophy that we all have the right to know. Some of us come here for the first time in a governmental action other than balloting. Others are experienced. I would like to know everything that goes on. I have had experience in this Convention, and my experience here has shown me that there are some meetings that cannot and should not be opened because they can be misinterpreted if people can only listen to a portion or part when they are there.

I would suggest not taking Amendment No. 24, which opens everything and which will force the General Assembly in which we must have confidence, to issue by statute hoards of "do not's". We do have, according to the Maryland Code, obviously many open meetings, and we will continue to. I am sure in the integrity of the General Assembly they will open more and more. But we must do it through the positive, not the negative. Let us do it as it benefits the people.

Amendment No. 24-A, from what I understand from those who are knowledgeable, does not delete the rights that we already have. It will give us the others that we want. Let us not put ourselves in a position where we do not permit the government to act as it must at times away from everyone's eyes.

THE CHAIRMAN: Delegate Schneider.

DELEGATE SCHNEIDER: Mr. Chairman, I want to speak against Amendment No. 24-A. As Delegate Dukes has pointed out, it is a step backwards. If not a step backwards, it is not a step forward. If you are in favor of the right to know, this does nothing. It merely constitutionalizes what we presently have, and perhaps not quite as much.

If you are against the right to know, why would you want useless language in the constitution? No matter how you feel on this, there is no use putting a toothless provision of 24-A in the constitution.

If you are in favor of the right to know, I think you are in favor of the right to require public meetings. This does not do that. This says merely that you can inspect the minutes after the meeting has been